

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Ronald O. Lee,

Plaintiff,

vs.

Jo Anne Barnhart, Commissioner of Social
Security Administration,

Defendant.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Civil No. 3:05-cv-47

Plaintiff, Ronald O. Lee, moved *pro se* to proceed in his appeal *in forma pauperis* (IFP). The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, pursuant to 28 U.S.C. § 636 (2002), recommending that Plaintiff's motion for leave to appeal IFP be denied (Doc. #21). Lee filed multiple objections to the Magistrate Judge's conclusions (Docs. #23 and 25).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds that the Magistrate Judge's position is correct. The Lee family's income, assets, and monthly expenses as set forth in the application indicate that Lee has the ability to pay the appellate filing fee. Nothing that Lee supplied in objection to the Report and Recommendations is inconsistent with the Magistrate Judge's position. Furthermore, none of Lee's additional filings are in the form of sworn affidavits or are supported by evidence such as bills, invoices, or statements.

Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, Plaintiff's Motion for leave to appeal IFP is **DENIED**.

IT IS SO ORDERED.

Dated this 28th day of March, 2007.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court